IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.13139 of 2008
Md. Mumtaz
Versus
State Of Bihar
With
Cr.Misc.No.15969 of 2008
Krishna Kumar Pandey @ Bhola Pandey
Versus
State of Bihar

2 7.5.2008 Heard counsel for the petitioners and the State.

The prayer for bail of the petitioners who are accused in a case under sections 395 and 397 of the Penal Code was earlier rejected by this court by common order dated 14.11.2007 passed in Cr.Misc.No.43742 of 2007 and Cr.Misc.No.44576 of 2007 with an observation to renew their prayer for bail after five months and three months respectively.

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Learned counsel for the petitioner submits that the petitioners are not named in the F.I.R. and their names figured in the confessional statement of co-accused. He further submits that the alleged mobile recovered is not identical to the looted articles in course of commission of the offence.

Considering the facts and circumstances of the case, the petitioners Md.Mumtaz and Krishna Kumar Pandey @ Bhola Pandey are directed to be released on bail in connection with S.T.No.405 of 2007 arising out of Khajouli (Kaluahi) P.S.Case No.111 of 2006 on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the F.T.C.IVth, Madhubani subject to the condition that they shall not physically absent themselves in the court below for two consecutive dates till three witnesses are examined in trial.

(S.P.Singh,J)

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